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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,474	03/29/2001	Takumi Tanabe	8861-400US (P23811-01)	5649

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EXAMINER	
RAMAN, USHA	
ART UNIT	**PAPER NUMBER**
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/820,474	TANABE ET AL.	
	Examiner	Art Unit	
	Usha Raman	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed January 3rd, 2007 have been fully considered but they are not persuasive. Wu teaches the claimed limitations of inputting a limiting information (i.e. a user ID parameter) using an input unit (remote control), and storing the limiting information in the storage unit (memory unit), and transmitting advertising scenario header instructing which advertisement information should be reproduced in accordance with the limiting information stored in the memory (see column 9, lines 28-48).

As a result, the examiner maintains rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (US Pat. 6,326,982) in view of Broadwin et al. (US Pat. 5,903,816) and further in view of Dunn et al. (US Pat. 5,517,257).

Regarding apparatus claim 1 and method claim 7, Wu teaches a broadcast system comprising a broadcast station and a television broadcast receiver connected to said broadcast station by a two-way channel (See Fig. 1 Web/TV Client System 12, Video Data Provider 16, Dedicated Server Providing TV Programming Schedule/Web Address Mapping information 34 and Col. 4 lines 3-39,

Col. 5 lines 5-22. A cable network is a two-way channel. Video Data Provider and Internet can both be connected to Web/TV through a cable network therefore the Video Data Provider and the Server are equivalent to a broadcast station), wherein said television broadcast receiver comprises a browser unit for reproducing display data coded by the Hyper Text Markup Language (See Fig. 2 Processor 56 and Video Processor 92 and Co1.4 lines 18-39 and Col. 5 lines 5-55 Processor and Video Processor display HTML coded data). Wu teaches that when the browser is active, the processing unit generates video signal representing the activities of the web browser that is fed into the video display processor. See column 5, lines 40-44. The browser therefore instructs the reproduction control unit to display the contents of the web browser when it is active. Wu further teaches the receiver comprising a storage unit (See Fig. 2 Memory Unit 76 Col. 4 lines 40-56) and wherein said broadcast station transmits prior to or during the transmission of contents an advertising scenario header for at least instructing what kind of advertising information should be reproduced and in what way (See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines 19-27, Col. 8 lines 9-43, Col. 11 lines 18-67, and Col. 12 lines 1-60. Programming schedule mapping information is downloaded to the receiver, wherein the information tells the receiver which web pages to access during content transmission. Web pages can include advertisement information. Therefore, programming schedule mapping information is equivalent to advertising scenario header), and also instructing how said contents should be reproduced in accordance with the way the advertising information is reproduced (See Fig. 10 Step

266 and Col. 5 lines 23-40, Col. 7 lines 55-67, Col. 8 lines 1-8, Col. 12 lines 48-51), and during the reception and reproduction of said contents said television broadcast receiver reproduces said advertising information by means of said browser unit in accordance with the contents of said advertising scenario header received from said broadcast station (See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines i9-27, Col. 8 lines 9-31, Col. 11 lines 18-67, and Col. 12 lines 1-60). Wu further discloses that a user ID parameter (the claimed "limiting information") is entered by the user of the system (see column 9, lines 2-3) using a remote control device (claimed "input unit", see column 6, lines 40-43) and storing the limiting information in memory (column 9, lines 4-7). Wu also teaches the adverting scenario header further instructing which advertising information should be reproduced in accordance with the limiting information (user parameter) stored in the storage unit (see column 9, lines 33-48).

Wu fails to disclose where HTML advertisement is stored in the memory and the browser Unit reproduces advertisement information stored in memory. Having a television receiver store interactive programming data in memory for reproduction during the transmission of content is well known in the art as taught by Broadwin (See Fig. 8 Step 444, Abstract and Col. 11 lines 37-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wu's invention so that the receiver stored advertisement information in memory and the browser unit reproduced advertisement information from memory as taught by Broadwin so that advertisement information could be provided more

quickly, thus reducing latency and providing greater responsiveness (See Broadwin Col. 3 lines 12-16).

Wu as modified with Broadwin teaches wherein said television broadcast receiver comprises a reproduction control unit for controlling the reproduction of said contents (See Wu Col. 5 lines 44-47 Toggling between a web browser and TV viewing is controlling reproduction). Wu and Broadwin differs from the claimed invention in that the television broadcast receiver does not instruct the broadcast station through said reproduction control unit to temporarily stop the transmission of said contents when starting the reproduction of said advertising information during the reception and reproduction of said contents, and instructs said broadcast station through said reproduction control unit to restart the transmission of said contents when ending the reproduction of said advertising information. However, a receiver with a control unit that can instruct a broadcast station to temporarily stop and resume the transmission a contents is well know in the art as taught by Dunn (See Col. 7 lines 63-67 and Col. 8 lines 1-31). Therefore, it would have been obvious to one of ordinary skill in the art to further modify Wu and Broadwin's reproduction control unit so that it gave the user the ability to temporarily stop the transmission of content when accessing advertisement information and the ability to resume transmission of content as taught by Dunn in order to assist the viewer in controlling the viewing of the contents transmitted from the server (See Dunn Col. 1 lines 55-56).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

UR

SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER